



## Data Protection, Privacy and Security

Personal information is an increasingly valuable – and increasingly risky – business asset. As businesses struggle to keep up with the critical, fast-changing data protection laws and face an increasing risk of serious data breaches, DLA Piper is uniquely positioned to help guide clients.

With data protection lawyers around the globe, DLA Piper provides highly sophisticated data management, data security and privacy law advice wherever our clients do business. Our global presence combined with our depth of experience in each region gives clients the important advantage of local knowledge and cultural awareness, combined with consistent, practical advice.

Our team members are very involved in their local compliance culture and maintain close contacts with local regulators in Asia Pacific, Europe and the US. The group has played a major role at the forefront of the development of privacy, data security breach and data security laws around the world. Our data protection team has successfully worked together in recent years to assist more than 100 multinational organizations in the design and implementation of global privacy and security programs including carrying out audit and risk assessments, developing global policies, implementing effective international data transfer strategies, negotiating cloud and other complex international data transfer agreements, and defending dozens of regulator and plaintiff's class action bar enforcement actions.

Core areas include:

- Audits and data mapping
- Compliance programs and policies
- Data subject access and opposition rights
- Data security, data loss prevention and data breaches
- Online and mobile tracking and consumer protection regulation
- E-discovery and investigations management
- Global data transfer management (transfer agreements, BCRs, etc.)
- Incident Response Planning and Execution
- Lobbying and government liaison
- Supervisory authority relations (notifications, authorizations, DPO appointments)
- Whistle-blowing hotlines, employee monitoring and suspect persons screening

### EXPERIENCE

#### KEY CONTACTS

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- Antitrust and Competition
- Corporate
- Employment
- Intellectual Property and Technology
- International Trade,

- We provide cutting edge global advice to a leading global mobile chip manufacturer on notice, consent, data transfer, access correction and data retention requirements applicable to rolling out a suite of mobile apps that use device identifier data, location data and offer geo-fencing capabilities. In addition, we have advised the company on Chinese requirements related to storage of data in China, on application of the US COPPA children's privacy rule to the company's technologies and on the US multi-stakeholder negotiations on mobile app short-form privacy notices.
- We designed and advised on the implementation and rollout of a whistleblowing hotline for a leading pharmaceutical company across the European Union. The outcome of this project was a whistleblowing hotline compliant in 29 European countries, with as little modification as possible on a country-by-country basis. The multi-year process involved liaising with counsel in the relevant countries, producing documentation for employees, drafting key agreements between group entities and service providers, and creating internal operational guidance documentation for use in investigations.
- We are the appointed exclusive data protection advisor to the world's largest fashion retailer. The appointment began with a 51-country multi-year compliance audit of all its subsidiaries operating under its 8 global retail brands. This exercise was unique because, in addition to document reviews and interviews, we conducted extensive on-site audits of all operational functions within the organization, such as sales, marketing, online sales, finance and vendor management. The review covered Milan, Paris, Moscow, Shanghai, Beijing, Hong Kong and Macau.
- We advise a large communications company on privacy compliance issues related to information practice and digital advertising on its cable, internet and telecommunications service and with regard to the company's cyber-security program. We are providing compliance and strategic advice on new proposed data use cases, revisions to their privacy policy and consumer opt-out mechanisms. We are assisting the company before self-regulatory organizations and in responding to congressional and regulator inquiries. We are also providing strategic advice to one of their companies regarding its cyber-security and mobile privacy initiatives and advising the company on data security strategies as well as representing a business unit in an FTC mobile app security investigation.
- We represent a global pharmaceutical company with the rollout of a follow-the-sun customer service response model for product inquiries. The project includes the following activities related to privacy compliance in Latin America, Asia-Pac and Europe: analysis of privacy notice and consent requirements, review of security requirements in a number of Latin American countries, and the drafting, localization and implementation of a global intra-group data transfer agreement for compliance purposes, in order to support the follow-the-sun customer service model.
- Representing a coalition of 20 major communications, Internet, media and retail companies we have helped to draft all of the U.S. state privacy, security and e-commerce legislation that has become law over the past eight years.

Regulatory and  
Government Affairs

- Technology  
Transactions and  
Strategic Sourcing

## RELATED SECTORS

- Financial Services
- Energy and Natural Resources
- Insurance
- Life Sciences
- Media, Sport and Entertainment
- Technology

## INSIGHTS

### Publications

#### The global landscape of data privacy: Important points about new laws in three key jurisdictions

21 September 2021

#### PRACTICAL COMPLIANCE

New data privacy requirements in three important jurisdictions – the European Union, China, and Brazil – with an emphasis on action steps for compliance officers.

#### Artificial Intelligence and how the courts approach the legal implications

16 September 2021

Through an analysis of significant cases, this article takes a close look at the contractual implications of artificial intelligence and how it

can give rise to legal liability by exposing businesses to financial and representational risk.

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### **Consumer Em-Power-ment: Treasury proposes draft rules for the Consumer Data Right in the Australian energy sector**

3 September 2021

The Australian Government Treasury has released for industry consultation, draft amendments to the Consumer Data Right rules and regulations made under the Competition and Consumer Act 2010 (Cth), seeking to expand the Consumer Data Right regime into the energy sector.

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### **Israel Group News August 2021**

16 August 2021

#### **[ISRAEL GROUP NEWS](#)**

In this issue, our global activities, latest publications, recent events and more.

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### **Romania**

9 August 2021

#### **[GDPR SNAPSHOT VLOG SERIES 2021](#)**

In this vlog, Bucharest counsel Irina Macovei and managing associate Andrei Stoica explore the impact and challenges of GDPR in Romania.

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## High Court criticises claimant law firm for seeking to load a compensation claim for a data breach with multiple heads of claim that are not appropriate

2 August 2021

As the data protection compensation claim landscape develops in the UK, the High Court in the case of *Warren -v- DGS Retail Limited [2021] EWHC 2168 (QB)* has given useful guidance as to the appropriate heads of claim.

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## *Lloyd v Google LLC* - data protection class action claims

12 July 2021

The judgement in *Lloyd v Google LLC* will become the leading authority on damages for breaches of data protection law of any size and scope, and on the ability for representative actions to proceed in England and Wales. This article outlines the key issues heard so far.

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## Tips and tricks: Contracting with cloud providers in the aftermath of the Schrems II judgment

8 July 2021

In 2020, the Court of Justice of the European Union (CJEU) issued its Schrems II judgment. The CJEU ruled that the adequacy decision on the EU-US Privacy Shield was invalid and that the standard contractual clauses (SCCs) may need to be supplemented by supplementary measures to ensure an adequate level of protection.

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## EDPB's final Recommendations on Supplementary Measures confirm a subjective approach to assessing personal data transfer risks

2 July 2021

The Recommendations' detailed guidance will be useful to businesses and privacy practitioners as they conduct or update their transfer assessments, but the scope and detail of those assessments will require a sustained effort.

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## Fending off phishing attacks: Some simple steps using trademark law

June 2021

We often think about how to respond once a breach has occurred, but rarely do we consider how to prevent a breach or scam entirely.

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## European Commission's standard contractual clauses: extensive new requirements coming for US businesses receiving EU personal data subject to GDPR

8 June 2021

Adopting and complying with the New SCCs may require considerable effort for importers, particularly those that are not otherwise directly subject to GDPR.

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## Ireland

2 June 2021

### [GDPR SNAPSHOT VLOG SERIES 2021](#)

In this vlog, Dublin partner, John Magee, explores the impact and challenges of GDPR in Ireland.

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## Hong Kong

31 May 2021

### GDPR SNAPSHOT VLOG SERIES 2021

In this vlog, Hong Kong partner, Carolyn Bigg, explores the impact and challenges of GDPR in Hong Kong.

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## Austria

28 May 2021

### GDPR SNAPSHOT VLOG SERIES 2021

In this vlog Austria partner Sabine Fehringer and Counsel Stefan Panic explore the impact and challenges of GDPR in Austria.

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## Germany

28 May 2021

### GDPR SNAPSHOT VLOG SERIES 2021

In this vlog German partner, Verena Grentzenberg explores the impacts and challenges of GDPR in Germany.

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## Belgium

25 May 2021

### GDPR SNAPSHOT VLOG SERIES 2021

In this vlog, Brussels counsel, Heidi Waem, explores the impact and challenges of GDPR in Belgium.

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## Italy

25 May 2021

### GDPR SNAPSHOT VLOG SERIES 2021

In this vlog, Milan partner, Giulio Coraggio, explores the impact and challenges of GDPR in Italy.

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## Poland

25 May 2021

### GDPR SNAPSHOT VLOG SERIES 2021

In this vlog, Warsaw partner, Ewa Kurowska-Tober, explores the impact and challenges of GDPR in Poland.



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## Spain

25 May 2021

### GDPR SNAPSHOT VLOG SERIES 2021

In this vlog, Madrid partner, Diego Ramos Pascual, explores the impact and challenges of GDPR in Spain.

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## UK

25 May 2021

### [GDPR SNAPSHOT VLOG SERIES 2021](#)

In this vlog, UK partners, Ross McKean and Andrew Dyson, explore the impact and challenges of GDPR in the UK.

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## Israel Group News May 2021

1 May 2021

### [ISRAEL GROUP NEWS](#)

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## Episode 16: New data classifications and data localisation for financial institutions in China

21 April 2021

### [NAVIGATING CHINA: THE DIGITAL JOURNEY](#)

Important new guidelines outlining how personal and other types of financial information should be handled by financial institutions throughout the data lifecycle have just come into force in China, including a new data localisation obligation.

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## Digital Services Act: EDPS's opinion and public consultation

15 April 2021

On 15 December 2020, the European Commission (EC) published its proposal for a Digital Services Act (DSA). On 10 February 2021, the EDPS published its Opinion 1/2021 on the proposal for a Digital Services Act. In its opinion, the EDPS focuses on the due diligence

obligations that are set out in the Digital Services Act.

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## **Episode 15: Comprehensive New E-Commerce Rules Introduced**

23 March 2021

### **NAVIGATING CHINA: THE DIGITAL JOURNEY**

Operators of e-commerce platforms, websites and apps in China, and those using third party e-commerce, social media or livestreaming platforms to sell their products and services in China, must update their operations, services and systems in advance of wide-ranging new rules.

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## **Blockchain and Digital Assets News and Trends**

25 February 2021

### **BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS**

Canada's AML regime amendments: is your interactive entertainment service or platform operating a "money service business"?

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## **Gems, coins, bells and bottle caps: Canadian AML regime amendments affect some video game and social media virtual currencies**

25 February 2021

Providers of video games and online entertainment that offer virtual currency as part of game play may be "money service businesses" under Canada's anti-money laundering rules.

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## **Announced, proposed and implemented: Developments in Digital Services Tax in key European jurisdictions**

9 February 2021

While the OECD and G20 work toward a global agreement on digital services taxes, some European countries have forged ahead on their own.

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## **Announced, proposed and implemented: Key features of France's DST**

9 February 2021

The French definition of "taxable service" under the DST differs from the definition of "taxable services" as used for VAT purposes.

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## **Announced, proposed and implemented: Key features of Italy's DST**

9 February 2021

The Italian DST applies only to revenues deriving from the provision of tax-relevant digital services linked to Italian-located users.

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## **Announced, proposed and implemented: Key features of Spain's DST**

9 February 2021

The annual worldwide revenue threshold is not limited to revenues generated by the provision of digital services, meaning that non-tech businesses may also need to comply.

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## **Announced, proposed and implemented: Key features of the United Kingdom's DST**

9 February 2021

The UK's DST is intended to be an interim measure pending a long-term global solution to the tax challenges arising from digitalization.

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## **Disputes, Issue 2**

28 January 2021

### **DISPUTES**

In this issue, we look at the split among the federal circuits over what it means to "exceed authorized access" in violation of the Computer Fraud and Abuse Act; the ways in which the federal courts apply the Supreme Court's recent limitations on equitable disgorgement; ways to mitigate liability risk in unauthorized financial transfers; considerations for employers as they develop policies regarding use of cannabis in their workforce; and the critical importance of escalation protocols in corporate whistleblower programs.

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## **Supreme Court dives into circuit split over the Computer Fraud and Abuse Act**

28 January 2021

What does it mean to "exceed authorized access" to an Internet-connected device?

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## **Unauthorized financial transaction fraud: Mitigating liability risks**

28 January 2021

Prudent financial institutions are seeking to protect themselves against liability for third-party fraud and accountholder carelessness.

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## **DLA Piper GDPR fines and data breach survey: January 2021**

19 January 2021

EUR272.5 million of fines have been imposed for a wide range of infringements of Europe's tough data protection laws according to international law firm DLA Piper. The figure is taken from the law firm's latest annual GDPR fines and data breach survey of the 27 European Union Member States plus the UK, Norway, Iceland and Liechtenstein.

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## **Israel Group News January 2021**

19 January 2021

### **ISRAEL GROUP NEWS**

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## **Data Subject Access Requests - High Court dismisses claim where DSAR regime abused**

18 January 2021

The High Court of England and Wales dismissed a claim against a bank for allegedly failing to provide an adequate response to the Claimant's data subject access request, highlighting the robust approach that the court is willing to take where it suspects the tactical deployment (or abuse) of the DSAR regime.

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### **The UK-EU Trade and Cooperation Agreement: Implications for technology services**

11 January 2021

The TCA includes a chapter relating to digital services which provides some key details relevant to both providers and customers of technology-related services.

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### **Brexit: Final arrangements for 1 January and future EU-UK data transfers**

30 December 2020

The Brexit trade deal has now been agreed between the EU and UK. Here we summarise the implications for data protection including the important issue of cross-border data flows, which are critical for businesses to maintain between the EU and UK.

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### **Who's responsible for content posted on the Internet? Section 230, explained**

22 December 2020

What the law does, what people are saying it should do, and what might happen next.

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### **When a threat actor strikes: Legal considerations and challenges in a ransomware attack**

21 December 2020

Evidence suggests that having employees working remotely significantly increases the risk of a successful ransomware attack.

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### **EU digital reform: Brussels seeks to regulate Big Tech and other digital services**

16 December 2020

Europe's legal framework for digital services has been unchanged since the adoption of the e-Commerce Directive<sup>1</sup> in 2000. Subsequent advances in technology, and the accompanying evolution of digital services, have resulted in more and more calls for updated regulations from market participants, governments and regulators.

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### **DLA Piper global data transfer methodology**

15 December 2020

Standardised model for assessing appropriate safeguards on the transfers of personal data from the EEA/UK.

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### **European Law on Cookies**

27 November 2020

DLA Piper has published a new guide that summarises the varying approaches of the law on cookies across Europe.

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## Blockchain and Digital Assets News and Trends

23 November 2020

### [BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

IMF issues report on regulatory framework for CBDs and GSCs, SEC invites feedback on application of custody rule to digital assets.

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## Navigating China Episode 14: New draft national, harmonised data protection law for Mainland China

23 October 2020

### [NAVIGATING CHINA: THE DIGITAL JOURNEY](#)

A first national level personal information protection law for Mainland China has been published, reinforcing and heightening existing data protection compliance obligations for organisations doing business in China.

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## Blockchain and Digital Assets News and Trends

21 October 2020

### [BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

SDNY finds Kin token is a security; unpacking the DOJ's cryptocurrency guidance – plus latest legal, regulatory and case law developments.

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## Singapore: Imminent Changes to the Personal Data Protection Act 2012 (PDPA)

16 October 2020

On 5 October 2020, the Singapore Personal Data Protection (Amendment) Bill (Bill) was tabled in Parliament for the first reading. It is expected that the Bill will be passed before the end of the year if not sooner.

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## Israel Group News October 2020

7 October 2020

### [ISRAEL GROUP NEWS](#)

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## Coronavirus Resource Center: Our global repository of insights and events

30 September 2020

A central repository for our reports and commentary on the legal and regulatory concerns arising from the pandemic.

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## Philadelphia grows privacy capabilities with a new arrival

30 September 2020

Ronald Plesco, an internationally known information security and privacy lawyer, has joined our Philadelphia office.

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### **A new EECC coming into play: Key points for electronic communications service providers**

15 September 2020

Entities providing an electronic communication service, such as email or video streamed over the Internet, may need to register as an ECS provider in relevant EU nations.

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### **Blockchain and Digital Assets News and Trends**

21 August 2020

#### **BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS**

California appellate court affirms judgment for Coinbase in lawsuit over Bitcoin Gold – plus latest legal, regulatory and case law developments.

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### **Schrems II: Now what? New FAQs from EU data protection supervisors provide guidance on data transfers**

28 July 2020

Organizations relying on Privacy Shield for transfers to the US of personal data subject to GDPR must immediately implement an alternative mechanism or cease transfers.

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### **EU's highest court invalidates the EU-US Privacy Shield; European Standard Contractual Clauses remain valid, but subject to conditions**

16 July 2020

The CJEU declared invalid the EU-US Privacy Shield framework for the transfer of personal data from the EU to the US.

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### **Israel Group News July 2020**

8 July 2020

#### **ISRAEL GROUP NEWS**

In this issue, our global activities, latest publications, recent events and more.

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### **A go-to firm for defending patent cases**

30 June 2020

Recognition from *Law360*

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### **Atlanta expands privacy capabilities**

30 June 2020

Lael Bellamy's arrival bolsters our data protection, privacy and security capabilities throughout the firm.

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### **Intellectual property rights are a renewed focus as the world looks beyond a global viral outbreak**

30 June 2020

A few key IP-related considerations for companies, whether they are seeking to expand into new markets or looking to preserve their place in an existing market.

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### **Northern California bolsters telecom and regulatory practice**

30 June 2020

Regulatory and telecom attorney Kristin Jacobson has joined our Northern California office in Sacramento.

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### **Washington, DC grows technology capabilities with two new arrivals**

30 June 2020

Marius Domokos and Justin Ilhwan Park have joined our Washington, DC practice.

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### **New Section 301 investigations into digital services taxes involving multiple countries**

29 June 2020

The US Trade Representative will investigate whether these DSTs discriminate against or place an unreasonable burden upon or restrict US commerce.

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### **Blockchain and Digital Assets News and Trends June 2020**

18 June 2020

#### **[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)**

World Economic Forum announces Presidio Principles as a foundation of blockchain ecosystem design – plus latest legal, regulatory and case law developments.

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### **Business protection: An Interactive guide**

18 June 2020

Global companies are at risk of their data and confidential information being leaked to competitors, especially when key employees leave. Protecting the integrity of new formulations and trade secrets is crucial, particularly for life sciences companies, to holding a competitive advantage and building success.

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### **World Economic Forum announces Presidio Principles as a foundation of blockchain ecosystem design**

18 June 2020

WEF's foundational values for a decentralized future.

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## **Navigating China Episode 13: (More) Important Developments in China's Privacy and Cyber Laws**

10 June 2020

### **NAVIGATING CHINA: THE DIGITAL JOURNEY**

China's privacy and cyber authorities have been busy in the last month enacting substantial enhancements and clarifications to data protection compliance obligations; and even more changes are expected before the end of 2020.

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## **New Chinese Civil Code Introduces Greater Protection of Privacy Rights and Personal Information**

9 June 2020

China's top legislature, the National People's Congress, recently enacted the PRC Civil Code (the Civil Code), which will come into force on 1 January 2021. This first ever "codified" legislation covers a wide spectrum of rights and issues such as property rights, contracts, matrimonial and family law and tort liability.

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## **COVID 19 | Legal Task Force Spain: Updated publications**

25 May 2020

The coronavirus COVID-19 crisis has no similar precedent in recent times in Europe. The Spanish authorities are doing their best to approve new laws and regulations addressing the challenges created by the crisis. This summary shall not as legal advice, but only as an informative document. Stay attentive to new updates.

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## **Blockchain and Digital Assets News and Trends**

20 May 2020

### **BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS**

California may limit application of securities laws to tokens, French court says bitcoins are fungible assets – plus latest legal, regulatory and case law developments.

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## **Important changes proposed to Singapore's Personal Data Protection Act**

19 May 2020

Organisations should plan ahead for significant changes to Singapore's Personal Data Protection Act, which were proposed in a consultation paper published on 14 May 2020.

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## **Latin America digital services tax update**

18 May 2020

For businesses that are non-resident digital service providers in Latin America.

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## Helping patients during the pandemic

14 May 2020

Some important considerations for biopharma manufacturers.

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## Facial recognition technology: Supporting a sustainable lockdown exit strategy?

8 May 2020

Technology has played a dominant role during the lockdown and will be a key aspect of ensuring the transition back to normality is successful. This article discusses recent trends, particularly in Ireland, Denmark and China, regarding the adoption of facial recognition technology (FRT) as a result of the COVID-19 pandemic.

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## Israel Group News May 2020

4 May 2020

### ISRAEL GROUP NEWS

Providing access to valuable business resources in real time.

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## Post-COVID-19: What to expect in the "next normal"

30 April 2020

Issues that are front of mind, based on an informal survey of some of the largest companies and most influential global business leaders.

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## eSignature and ePayment News and Trends

30 April 2020

### ESIGNATURE AND EPAYMENT NEWS AND TRENDS

Some key considerations for lenders looking to close loans electronically, either in person or remotely, plus latest regulatory, legal and case law developments around eSignatures and ePayments.

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## Top of Mind: COVID-19 technology sector insights

28 April 2020

In this time of growing uncertainty, we recognize that many tech businesses are facing significant disruptions and unprecedented challenges arising from the coronavirus disease 2019 (COVID-19) pandemic.

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## Turning downtime into privacy time: COVID-19 privacy review in Canada

24 APR 2020

As many businesses adapt to the current environment imposed by COVID-19, now may be the time for your organization to consider evaluating the state of your privacy and data protection management.

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## Blockchain and Digital Assets News and Trends

23 April 2020

### BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

The FSB report on global stablecoin frameworks and related cryptoassets reflects views inside G20 governments – plus latest legal, regulatory and case law developments.

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## Adapting to a new consumer market

15 April 2020

As consumer-facing businesses consider changes in their business models, avoiding legal pitfalls in some key areas is necessary for a successful transition.

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## Episode 12: More obligations on Chinese mobile app operators to comply with

9 April 2020

### NAVIGATING CHINA: THE DIGITAL JOURNEY

Following the crackdown by Chinese authorities against non-compliant mobile apps in late 2019 (please see Episode 8 in this series), the authorities have issued a series of app compliance guidelines (including the Guide to Self-Assess Illegal Collection and Use of Personal Information by Apps, Methods for Identifying Unlawful Acts of Apps to Collect and Use Personal Information, and Draft Specification for Collecting Personal Information in Mobile Applications). These guidelines imposed detailed obligations and practical actions to urge mobile app operators to conduct self-assessments and to rectify any non-compliant data processing practices. Organisations may have noted that some of these guidelines contain conflicting requirements.

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## HHS issues notification of enforcement discretion under HIPAA for certain uses and disclosures by business associates

7 April 2020

This announcement permits business associates to share personal health information with public health authorities and agencies in accordance with HIPAA exceptions as part of COVID-19 relief efforts.

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## Coronavirus COVID-19 - IPT Q&A: France

6 April 2020

This Q&A relates to France IPT matters, such as termination right due to force majeure, data privacy, remote work and privacy issues, outsourcing arrangements, business continuity and disaster recovery provisions, suppliers fixed costs, supply chain relationships, impact on RFP processes, and more.

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## Beyond social distancing: What employers need to know to keep their workplaces safe and manage privacy obligations in the face of COVID-19

2 April 2020

Guidance from OSHA, EEO and CDC to help employers seeking to protect the health, safety and privacy of their on-site employees.

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## **eSignature and ePayment News and Trends**

March/April 2020

### **ESIGNATURE AND EPAYMENT NEWS AND TRENDS**

COVID-19 special edition

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#### **EU Data Protection: COVID-19**

1 April 2020

The world is facing unprecedented challenges in its fight to contain Coronavirus (COVID-19). Various countries are in lockdown and emergency measures being implemented to contain the pandemic, with European countries currently at the epicentre of the outbreak.

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#### **Important updates for British Columbia Public Bodies amidst COVID-19 (Canada)**

1 APR 2020

In light of the current and developing COVID-19 circumstances, the following alerts have been released for British Columbia Public Bodies, subject to the Freedom of Information Legislation. One order permits public bodies to use and disclose personal information using tools and cloud services outside of Canada in certain circumstances. Another extends the time for freedom of information responses. Last, organizations are asked to remain vigilant for cyber crime.

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#### **UK Supreme Court upholds appeal in class action against Morrisons**

1 April 2020

Today the Supreme Court allowed an appeal in *Morrisons v Various Claimants*, a significant class action decision addressing the extent of an employers' liability for data breaches maliciously committed by an employee.

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#### **Coronavirus: Cybersecurity considerations for your newly remote workforce (United States)**

31 March 2020

Cyber risk management involves balancing the productivity of a workforce with ensuring confidentiality, integrity and availability of the company's own systems and data, as well as that of their supply chain.

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#### **Are you ready for CCPA class action litigation?**

30 March 2020

Many businesses may not have fully contemplated the major data breach class action litigation risk created by the California Consumer Privacy Act.

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#### **Episode 11: Important clarifications and changes to China's data privacy standards**

27 March 2020

## [NAVIGATING CHINA: THE DIGITAL JOURNEY](#)

Important updates to China's de facto data privacy regulations will come into force on 1 October 2020. The amendments to the Personal Information Security Specification (PIS Specification) comprise important clarifications rather than substantial changes to the existing regulations.

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### **Blockchain and Digital Assets News and Trends**

25 March 2020

#### [BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

The age of viral outbreaks – key contract considerations in a post-COVID-19 world, plus latest legal, regulatory and case law developments around blockchain and digital transformation.

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### **Coronavirus: Cyber hygiene practices**

25 March 2020

While the world is responding to the coronavirus disease 2019 (COVID-19), and individuals are increasingly focused on personal hygiene and social distancing, augmenting cyber hygiene efforts at home and at work are increasing in importance too.

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### **Episode 10: Stricter data localisation and security rules for financial and insurance data in China**

06 Mar 2020

#### [NAVIGATING CHINA: THE DIGITAL JOURNEY](#)

The People's Bank of China has released new guidelines on the collection and processing of personal financial information (PFI Guidelines), which provide much-needed clarity on how personal financial information in China should be processed, secured, and transferred. While the PFI Guidelines do not impose an outright ban on personal financial information leaving China, mandatory compliance steps (including consent and impact assessments) must be taken.

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### **Europe initiates regulations on artificial intelligence; industry presented with opportunity to provide inputs**

5 March 2020

#### [AI OUTLOOK](#)

The White Paper on AI initiates a process that could potentially establish the world's first far-reaching regulatory framework for AI.

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### **PropTech in the United States – where we're heading**

2 March 2020

#### [PROPTech INSIGHTS](#)

The legal implications of operating smart buildings.

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### **Important changes proposed to Hong Kong's data protection law**

27 February 2020

Any organisation processing Hong Kong personal data must plan ahead to anticipate significant new compliance obligations

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requirements. These are proposed in a recent consultation paper to amend Hong Kong's Personal Data (Privacy) Ordinance (PDPO), and would – if passed – constitute the first changes to the PDPO since 2012.

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### **Opportunities arising from Asia's data protection frameworks (AsiaPac)**

14 February 2020

The media controversy surrounding China's coronavirus COVID-19 detection app, the "close contact detector," has highlighted a common misapprehension about how data protection law is universally applied around the world.

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### **Italy's new Digital Services Tax is now in force**

11 February 2020

Not all digital services will be taxed – only those entailing a high degree of users' involvement in value generation.

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### **Israel Group News February 2020**

10 February 2020

#### **ISRAEL GROUP NEWS**

In this issue, our global activities, latest publications, coming events and more.

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### **Foreign ITAR cloud storage now permitted**

4 February 2020

This may provide ITAR-registered companies some flexibility with the virtual storage and transmission of their technical data, but using non-US based cloud storage is still not without risk.

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### **OECD statement of Digital Tax Initiative highlights progress, sets timeline for consensus – key points on Pillar One and Pillar Two**

3 February 2020

The development of a new taxing right is a major initiative, and the OECD continues to work at a brisk pace.

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### **Argentina suspends Promotional Regime of the Knowledge-based Economy**

28 January 2020

The regime aims to promote digital, information and communication technologies and the highly skilled human capital that creates and advances those technologies.

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## **EU MDCG issues new guidance on Cybersecurity for medical devices**

27 January 2020

On 7 January 2020, the EU Medical Device Coordination Group published new guidance to help manufacturers fulfil all relevant cybersecurity requirements in Annex I to the new Medical Device Regulations (Regulations 2017/745 on medical devices and 2017/746 on in vitro diagnostic medical devices).

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## **DLA Piper GDPR Data Breach Survey 2020**

20 January 2020

According to DLA Piper's latest GDPR Data Breach Survey, data protection regulators have imposed EUR114 million (approximately USD126 million / GBP97 million) in fines under the GDPR regime for a wide range of GDPR infringements, not just for data breaches.

France, Germany and Austria top the rankings for the total value of GDPR fines imposed with just over EUR51 million, EUR24.5 million and EUR18 million respectively. The Netherlands, Germany and the UK topped the table for the number of data breaches notified to regulators with 40,647, 37,636 and 22,181 notifications each.

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## **Episode 9: 2020 - Privacy, Security and Content Regulation to Increase in China**

10 January 2020

### **NAVIGATING CHINA: THE DIGITAL JOURNEY**

China's authorities have published a much-anticipated brand new directive on internet content regulation and governance, which will come into force on 1 March 2020. This law will require organizations which host websites in China to make fundamental changes to their website governance frameworks.

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## **Commerce imposes export licensing requirement on geospatial imagery software**

8 January 2020

Companies that produce, design, test, manufacture, fabricate, or develop a software described in the new controls may now be operating within the category of "critical technologies" as defined in CFIUS regulations.

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## **CCPA Rescue Kit arrives amid new privacy law change**

19 December 2019

A series of integrated compliance offerings to help businesses begin the journey of compliance with this important new privacy bill.

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## **Stricter outsourcing rules for Singapore's banking sector**

13 December 2019

Banks and credit card providers in Singapore should consider updating their outsourcing arrangements in anticipation of stricter new laws. Singapore's Government has proposed new powers to regulate more closely the outsourcing arrangements of banks and credit card providers regulated by the MAS, and to impose stricter sanctions.

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## **Congressional hearing to focus on facial recognition and national security**

12 December 2019

## [AI OUTLOOK](#)

Technologies controlled by foreign governments and their implications for privacy and national security are expected to be a major topic.

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### **Corporations need to remain vigilant amidst the rise of cyberattacks and cyberfrauds**

2 December 2019

Recent figures show that Hong Kong and China remain the top destinations of fraudulent funds, most of which are the result of cyberfrauds. Read our article which gives helpful tips on how to avoid falling victim to these attacks.

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### **Israel Group News November 2019**

18 November 2019

In this issue, IP considerations in augmented reality and virtual reality, plus our global activities, latest publications, coming events and more.

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### **Episode 8: Crackdown on infringing China apps**

13 November 2019

#### [NAVIGATING CHINA: THE DIGITAL JOURNEY](#)

China's authorities have launched a crackdown against non-compliant mobile apps. The crackdown is taking place during November and December 2019, so businesses operating apps in China must take urgent action or else face sanctions.

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### **Hong Kong's SFC introduces strict conditions on cloud data storage**

8 November 2019

All entities licensed by the Hong Kong SFC and storing data in the cloud must urgently review their data storage arrangements in light of a new circular from the SFC on "Use of external electronic data storage". This circular introduces strict new conditions on both cloud users and cloud vendors.

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### **Episode 7: New China encryption law passed**

6 November 2019

#### [NAVIGATING CHINA: THE DIGITAL JOURNEY](#)

The new PRC Encryption Law will come into force on 1 January 2020. It will bring fundamental changes to the sale, import and use of encryption technologies in China by foreign and domestic organizations.

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### **Episode 6: Further developments in PRC data privacy regulations**

1 November 2019

#### [NAVIGATING CHINA: THE DIGITAL JOURNEY](#)

An updated draft of China's Amended Personal Information Security Specification (Amended PIS Specification) and proposed new



amendments to the privacy specification for mobile apps (App Privacy Specification) were published this week, alongside brand new draft regulations for the banking sector.

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### **US companies: EU data regulation means new oversight**

2 DEC 2015

Many US companies are about to experience new regulatory oversight.

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### **Landmark privacy ruling in Europe on the right to be forgotten**

26 JUN 2014

European Court of Justice: search engines must remove the link between search results and a web page if it contains information an individual deems should be "forgotten"

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### **Blockchain - a revolution for the insurance sector with some risks**

9 MAR 2017

Blockchain is "the most important invention since the Internet itself" according to Marc Andreessen. And there is no doubt that there are huge potentials for the insurance sector to exploit such technology, but as any new technology, it will also lead to new legal risks.

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### **EU: new obligations for digital services providers and operators of essential services**

28 JUN 2016

In line with the EU's broader Cyber Security Strategy, the NIS Directive is a significant step towards a more secure cross-border cyberspace with a high shared level of network and information system security.

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### **The blockchain revolution, smart contracts and financial transactions**

26 APR 2016

Blockchain-based smart contracts have enormous potential to streamline financial transactions and reduce counterparty risks.

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### **Plan now to use off-band communications during an incident response: key points**

27 OCT 2015

A robust IR plan should include communications techniques that operate outside regular company communication methods.

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### **Information security obligations for Australian businesses under the Privacy Act: A reminder from the OAIC**

14 MAY 2013

At the launch of this year's Privacy Awareness Week on 29 April 2013, the OAIC released its new Guide to Information Security: 'Reasonable steps to protect personal information' ("**Guide**"). The Guide aims to assist Australian businesses and those carrying on business in Australia to interpret the continuing requirement under the Privacy Act (both under the current and the amended law) to "take reasonable steps" to protect the personal information they hold.

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**Law à la Mode**

20 SEP 2012

[LAW À LA MODE](#)

This issue of Law à la Mode is brought to you by our German editorial team, in the midst of a month in which fashion capitals around the globe are enjoying Fashion Week S/S 2013.

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**Law à la Mode**

1 MAY 2012

[LAW À LA MODE](#)

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**Law à la Mode**

1 MAR 2012

[LAW À LA MODE](#)

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**Law à la Mode**

1 DEC 2011

[LAW À LA MODE](#)

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**Law à la Mode**

26 AUG 2011

[LAW À LA MODE](#)

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**UK: The real risk of cyber attack**

1 AUG 2011

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**Law à la Mode**

10 MAY 2011

[LAW À LA MODE](#)

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**Law à la Mode**

9 FEB 2011

### Events

#### Previous

##### **EDPB, SCCs and Brexit: The future of global data transfers**

8 July 2021  
Webinar

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##### **New EU Standard Contractual Clauses (SCC's)**

21 June 2021  
Webinar

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##### **Coffee with Colleagues: Featuring Andrew Dyson**

10 February 2021  
Webinar

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##### **Planning for an Uncertain World**

16 November 2020  
TechLaw Event Series  
Webinar

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##### **TechLaw**

31 July 2020  
TechLaw Event Series  
Webinar

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##### **Schrems II CJEU Judgment: Implications on Data Transfers**

17 July 2020  
Webinar

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##### **Webinar: Understanding and preparing for GDPR dawn raids**

24 June 2020

Brussels

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## TechLaw

5 March 2020  
TechLaw Event Series  
Sydney

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## TechLaw

3 March 2020  
TechLaw Event Series  
Melbourne

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## The ABCs for DPOs - 2.0

21 January 2020  
Tel Aviv-Yafo

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## NEWS

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### DLA Piper advises EQT Ventures on Series A financing round in food biotech start-up Formo

12 October 2021  
DLA Piper hat EQT Ventures bei ihrem Investment in das Berliner Food Biotech-Startup Formo im Rahmen einer Series A-Finanzierungsrunde im Umfang von 50 Mio. USD beraten. Zu den weiteren Geldgebern neben EQT Ventures gehören u.a. Elevat3 Capital, Lowercarbon Capital und Lionheart Ventures.

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### EUR272.5m in fines imposed by European regulators under GDPR - Survey by international law firm DLA Piper

19 January 2021  
EUR272.5 million (about USD332.4 million / GBP245.3 million) of fines have been imposed for a wide range of infringements of Europe's tough data protection laws according to international law firm DLA Piper.

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### DLA Piper advises Heidelberger Druckmaschinen on the sale of MIS software provider CERM

6 August 2020  
DLA Piper has advised Heidelberger Druckmaschinen AG (Heidelberg) on the sale of CERM, a global provider of Management Information System (MIS) software for the printing industry, in a Management Buyout (MBO).

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### DLA Piper advises GM Cruise on acquisition of Astyx

8 July 2020

DLA Piper has advised GM Cruise Holdings LLC (GM Cruise) in connection with the acquisition of Astyx GmbH (Astyx) from Zukunft Ventures GmbH, a subsidiary of ZF Friedrichshafen AG, and the founders of Astyx.

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## Consulting

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DLA Piper's Data Protection, Privacy and Security practice enhances its legal skills with the addition of highly experienced certified risk, privacy, security and cybersecurity professionals, among them Ron Plesco and Erik Harssema, formerly of one of the largest Big 4 privacy and data protection advisory practices, who provide consultancy services to our global clients. Advising on practical implementation of legal advice; structuring privacy programs and related control environments; benchmarking; best practice identification; and cybersecurity risk mitigation, the consultants work with our highly ranked privacy and breach response lawyers as a single, integrated privacy team to provide a joint and comprehensive legal and consulting approach to data risk, privacy, cyber and security projects. This approach is a significant differentiator from other large firms, and it has been recognized by notable rankings entities, including BTI Consulting Group, which recently placed the DLA Piper Cybersecurity practice among the Top 7 cybersecurity law firm practices in the United States.

DLA Piper consultants have years of practical experience and maintain a wide variety of relevant certifications. Their ranks include Certified Information Security Professionals (CISSPs); Certified Information Privacy Professionals (CIPPs); and Certified Information Systems Auditors (CISAs). Our experienced consultants are on the front lines of assessing, developing and implementing innovative data risk, privacy and security solutions for some of the world's largest and most geographically diverse companies. We are thought leaders in the field and frequently appear on panels and contribute to industry publications. Our consultants are actively involved in the International Association of Privacy Professionals (IAPP), International Information System Security Certification Consortium (ISC2), and other professional certifying bodies that carry continuing education requirements.

### COMPREHENSIVE LEGAL AND CONSULTING SERVICES

DLA Piper's Data Protection, Privacy and Security team covers the full cybersecurity service delivery lifecycle

- compliance and operational risk assessments and identification
- program, policy and operational design
- compliance solution testing and implementation and
- training program development.

We bring sector-specific, globally focused data privacy and protection experience in such areas as compliance and control assessment, cross-border data transfer enablement, incident response and vendor management.

### TESTED METHODOLOGIES

We have developed an agile and repeatable approach to deliver data privacy and security transformation projects. This methodology has been used for more than a decade and has continued to evolve and respond to changes in the market such as agile development methodologies and the rise of cloud based architecture models, among others.

Our consultants advise clients on, among other things:

- data mapping exercises, gap assessment and remediation
- the practical adoption of our firm's legal advice
- benchmarking and industry best practice identification
- incident preparedness
- incident response planning
- the structuring of privacy and compliance programs
- cybersecurity risk mitigation and

- training program development.

Some of our solutions include:

- Project management tools and techniques
- Regulatory and legislative monitoring tools
- Matter management technology solutions
- Privacy assessment and scoring tools
- Customized training programs
- Client communications and continuing education programs

## THE RARE BENEFIT OF PROGRAM DEVELOPMENT UNDER PRIVILEGE

DLA Piper has developed a program delivery approach that focuses on putting in place critical protections from moment one. This approach includes protections companies often overlook in the development and implementation of their programs – not least, building in measures to preserve attorney-client privilege (such as for third-party forensics). We offer a single, integrated delivery team of lawyers and consultants that maximizes attorney-client privilege while providing both legal and operational insights.